

Complaint by A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. 1983.

FILED

NAME WEAVER WILLIE MAY 28 2008
(LAST) (FIRST) (INITIAL)

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PRISONER NUMBER J-91389

INSTITUTIONAL ADDRESS PELICAN BAY
STATE PRISON P.O. BOX 7000 CRESCENT
CITY, CA. 95531
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIE WEAVER

(ENTER THE FULL NAME
OF PLAINTIFF IN THIS ACTION)

VS.

CORRECTIONAL

OFFICER MILLER,

(ENTER THE FULL NAME
OF DEFENDANT(S) IN THIS ACTION)

CASE NO. APR
(TO BE PROVIDED
BY THE CLERK OF
COURT)

COMPLAINT UNDER
THE CIVIL RIGHT
ACT 42 U.S.C. 1983

(ALL QUESTIONS ON THIS COMPLAINT FORM
MUST BE ANSWERED IN ORDER FOR YOUR
ACTION TO PROCEED.)

1. EXHAUSTION OF ADMINISTRATIVE REMEDIES

NOTE: YOU MUST EXHAUST YOUR ADMINI-
STRATIVE REMEDIES BEFORE CLAIM CAN
GO FORWARD, THE COURT WILL DISMISS
ANY UNEXHAUSTED CLAIMS)

A. PLACE OF PRESENT CONFINEMENT P.S. 4

B. IS THERE A GRIEVANCE PROCEDURE IN
THIS INSTITUTION? YES (✓) NO ()

C. DID YOU PRESENT THE FACTS IN YOUR
COMPLAINT FOR REVIEW THROUGH THE
GRIEVANCE PROCEDURE? YES (✓) NO ()

D. IF YOUR ANSWER IS YES, LIST THE
APPEAL NUMBER AND THE DATE AND
RESULT OF THE

COMPLAINT - 1 -

APPEAL AT EACH LEVEL OF REVIEW, IF YOU
DID NOT PURSUE A CERTAIN LEVEL OF
APPEAL EXPLAIN WHY.

1. INFORMAL APPEAL _____

2. FIRST FORMAL LEVEL _____

3. SECOND FORMAL LEVEL _____

E. IS THE LAST LEVEL TO WHICH YOU
APPEALED THE HIGHEST LEVEL OF APPEAL
AVAILABLE TO YOU? YES () NO (X)

F. IF YOU DID NOT PRESENT YOUR CLAIM
FOR REVIEW THROUGH THE GRIEVANCE
PROCEDURE.

EXPLAIN WHY. STILL BEING
PROCESSED

II. PARTIES

A. WRITE YOUR NAME AND YOUR PRESENT
ADDRESS, IF ANY, WILIE WEAVER
PELICAN BAY STATE PRISON P.O. BOX
7000 CRESCENT CITY, CA. 95531.

B. WRITE THE FULL NAME OF EACH
DEFENDANT HIS OR HER OFFICIAL
POSITION, AND HIS OR HER PLACE OF
EMPLOYMENT.

PELICAN BAY STATE PRISON / CORRECTIONAL
OFFICER MILLER

STATEMENT OF CLAIM

STATE HERE AS BRIEFLY AS POSSIBLE THE FACTS OF YOUR CASE, BE SURE TO DESCRIBE HOW EACH DEFENDANT IS INVOLVED AND AND HOW TO INCLUDE DATES, WHEN POSSIBLE DO NOT GIVE ANY LEGAL ARGUMENTS OR CITE ANY CASES OR STATUTES, IF YOU HAVE MORE THAN ONE CLAIM, EACH CLAIM SHOULD BE SET FORTH IN A SEPARATE NUMBERED PARAGRAPH.

PLAINTIFF IS CONSTANTLY BEING HARRASSED BY CORRECTIONAL OFFICER MILLER ON 05/22/08 HE PUT ON HAND CUFFS BACKWARDS WALKED PLAINTIFF TO HIS CELL TOOK OFF ONE HAND CUFF THEN MADE PLAINTIFF TURN AROUND TO TAKE OFF OTHER HAND CUFF, THIS IS HARRASSMENT, CONSPIRACY, THE DEFENDANT SHOWED DELIBERATE INDIFFERENCE UNDER THE EIGHT AMENDMENT IN RELIEF THAT CONSTITUTE CRUEL UNUSUAL YOUR COMPLAINT CANNOT GO FORWARD UNLESS YOU REQUEST SPECIFIC RELIEF STATE BRIEFLY EXACTLY WHAT YOU WANT ARE THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENTS; CITE NO CASES OR STATUTES.

LIABILITY DAMAGES: \$50,000
FIFTY THOUSAND DOLLARS DUE TO:
HARRASSMENT, CONSPIRACY,

U.S. CONSTITUTION VIOLATION

PUNITIVE DAMAGES: \$50,000

FIFTY THOUSAND DOLLARS DUE TO:
MENTAL ANGUISH, STRESS DISORDER

I DECLARE UNDER PENALTY OF PERJURY
THAT THE FORGOING IS TRUE AND CORRECT
SIGNED THIS 08 DAY OF 22 08
COMPLAINT - 3 -

WILLIE WEAVER
J-91389 B-5-515
PELICAN BAY STATE
PRISON P.O. BOX 7000
CRESCENT CITY, CA,
95531,

Case 5:08-cv-02689-JW

Document 1-2

Filed 05/28/2008

Page 1 of 1

PELICAN BAY STATE PRISON
5905 Lake Earl Dr
Crescent City CA 95532



UNITED STATES POSTAGE
02 1M
0004217666
MAILED FROM Z

CONFIDENTIAL
LEGAL MAIL

PELICAN BAY
P.S.U. UNIT B-2

9410233661 0004

OFFICE OF THE C
UNITED STATES
COURT NORTHER
DISTRICT OF CA
450 GOLDEN C
SAN FRANCISCO